

**BEFORE THE TENNESSEE BOARD OF NURSING**

**IN THE MATTER OF:**

**DONNA R. HUGGINS, R.N., A.P.N.**

**RESPONDENT**

**TENN. R.N. LICENSE NO. 131128**

**TENN. A.P.N. CERTIFICATE  
OF FITNESS NO. 8170**

**Complaint Nos: 201000845  
and 201001429**

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**ORDER OF SUMMARY SUSPENSION**

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This cause came on to be heard on the 2<sup>nd</sup> day of September, 2010, at a public meeting, before a duly authorized panel of the Tennessee Board of Nursing, upon the application of the State for a summary suspension of Respondent's license pursuant to T.C.A. Section 4-5-320(c).

**JURISDICTION**

The Tennessee Board of Nursing ("Board") is responsible for the regulation and supervision of the practice of nursing, including Family Nurse Practitioners with Certificates of Fitness and Registered Nurses, in the State of Tennessee. T.C.A. Section 63-7-101, *et seq.* The Board has the duty and power to suspend or revoke or otherwise discipline a licensee who has violated the provisions of Title 63, Chapter 7. T.C.A. Section 63-7-115(A)(1). Under T.C.A. Section 4-5-320(c), the Board has the authority to summarily suspend a license if it finds that the public health, safety, or welfare imperatively require emergency action.

## **FACTS**

1. From the proof presented at the summary hearing, and as found in the records of the Board, the Respondent has been at all times pertinent hereto certified by the Board as an Advanced Nurse Practitioner, including a Certificate of Fitness to prescribe legend drugs, in the State of Tennessee, having been granted certificate number 8170 on August 13, 2004. The Respondent has been at all times pertinent hereto licensed by the Board as a Registered Nurse in the State of Tennessee, having been granted license number 131128 on February 22, 2001.

2. Respondent practiced as an Advanced Nurse Practitioner as part of the staff at the Anand Clinic (located in Hohenwald, Tennessee) from on or about January 2009 through on or about July 9, 2010 under her supervising physician, Dr. Veena Anand.

3. From on or about January, 2009 through on or about July 9, 2010, Respondent has engaged in a pattern of deceptive, inappropriate, substandard care and gross malpractice, which has posed a threat to the health, safety, and welfare of the citizens of the State of Tennessee as well as those specific individuals obtaining inappropriate prescription drugs from Respondent. This pattern is below the acceptable standard of care in the locality in which Respondent practices, including the standards referenced below.

4. As part of the patterns alleged above, Respondent has caused to be prescribed and filled various narcotic prescriptions for an unknown number of Anand Clinic patients, which prescriptions are not supported by the patients' underlying medical conditions and which prescriptions were not accurately recorded by Respondent in said patients' charts. The 21<sup>st</sup> Judicial District Drug Task Force (DTF) obtained a CSMD report of the prescriptions written by the Respondent for the period of her employment at

the Anand Clinic. Thirty-Nine (39) patient medical charts from the Anand Clinic were examined. The chart entries were compared to a listing of prescriptions found on the CSMD report. Numerous prescriptions (greater than 300) were found to not be documented in many of the patient records. This is in violation of Tenn. Code Ann. § 63-7-115 and 63-7-123 and Nursing Rules 1000-01-.13(1)(b),(r),(t)(u) and (w), and 1000-04.08 and .09.

5. On or about July 27, 2010, in a statement to the DTF, Respondent confirmed the time frame that she was employed with Anand Clinic was on or about January 2009 through on or about July 9, 2010; and:

- (a) admitted that she remembered writing prescriptions for Lortab for patients J.D. and P.D., but did not remember how many times or on what dates;
- (b) admitted that she had written prescriptions for controlled substances to J.D. and/or P.D. outside the Anand Clinic;
- (c) admitted that she went to the home of J.D. and P.D. to pick up anywhere from a “few” Lortabs to fifty percent (50%) of the Lortabs on any one visit from the Lortab prescription(s) she had written for J.D., which pills Respondent admitted she ingested purposefully;
- (d) admitted that she had seen patient J.J. both in the clinic and at his home on a house-call basis twice although she could not recall the dates that she has seen J.J. at his home. She did recall collecting \$78.00 from J.J. on each of those two house calls, stating that this is the normal charge for an office or a house visit. Respondent admitted that she did not turn the fees into the

clinic, as required, and she did not report to the clinic either time that she had made a house call to patient J.J.'s home;

- (e) admitted that she had written prescriptions for controlled substances to patient W.R., stating that she usually saw W.R. at the patient's home. Respondent admitted that on occasion she had received a portion of the Lortab tablets prescribed to patient W.R. and that patient W.R. had given her money for her services in the past as well. Respondent does not recall specific dates or the number of times she had written prescriptions to patient W.R., nor does Respondent recall how much money had been paid to her by patient W.R.;
- (f) admitted that she was aware patient W.R. was abusing controlled substances and admitted that she should not have been prescribing narcotics to patient W.R. However, Respondent further admitted that she sometimes wrote several prescriptions to patient W.R. on the same day; and,
- (g) admitted that she had written prescriptions for controlled substances to patient K.B. and that once on a home visit with patient K.B., she had received a gift from patient K.B. but denied splitting pills or receiving money from him.

6. DTF attempted to question Respondent about prescriptions she had written to patients C.W., D.F., and C.B. Respondent admitted that she had seen C.W., D.F., and C.B. in the Anand Clinic but would not answer any other questions pertaining to these patients.

7. Respondent denied that she and Dr. Anand had developed and maintained office protocols.

### **SUSPENSION**

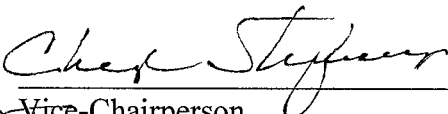
In consideration of the evidence presented and pursuant to the authority granted under T.C.A. Sections 4-5-320(c) and 63-7-115 *et seq.* and 63-7-123 *et seq.*, and Rules of the Board of Nursing, Chapters 1000-01-.13 *et seq.* and 1000-04-.08 and .09, the Board hereby preliminarily finds that Respondent's (**Donna R. Huggins, R.N., A.P.N.**) pattern of substandard care, inappropriate prescribing, unprofessional conduct, and deceptive practices is so severe that it imperatively requires emergency action in order to protect the public health, safety and welfare prior to the initiation of formal disciplinary charges.

It is therefore **ORDERED** that:

1. Respondent's Tennessee license and certificate of fitness to engage in the practice of nursing, R.N. License Number 131128 and A.P.N. Certificate of Fitness Number 8170, be and hereby are **SUMMARILY SUSPENDED;**
2. Upon issue of this Order, Respondent shall cease and desist from practicing nursing in the state of Tennessee;
3. Respondent shall not practice any health related profession nor in any health related field unless permission is sought from and granted by the Board;
4. This suspension shall be effective immediately and shall remain in effect until otherwise ordered by the Tennessee Board of Nursing;

5. Pursuant to T.C.A. Section 4-5-320(d)(1), Respondent may present her version of the situation to the Board at an informal conference on September 7, 2010, at 1 a.m./p.m. CST, in the Poplar Room, 227 French Landing Drive, Nashville, Tennessee; and
6. The sole issue at the informal conference mentioned above shall be: whether the public health, safety or welfare imperatively required emergency action by the Board.

**SO ORDERED**, this 2 day of September, 2010, retroactive to September 2, 2010, consistent with the date of the Original Order and finding.

  
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Vice-Chairperson  
Tennessee Board of Nursing